



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ♦ Timothy P. Murray, Lt. Governor ♦ Tina Brooks, Undersecretary

INSTRUCTIONS TO AWARDING AUTHORITIES

**CHAPTER 149 REQUESTS FOR PROPOSAL REQUIREMENTS FOR
MODULAR BUILDING PROJECTS**

2/7/2007

DHCD has prepared a standard template for REQUEST FOR PROPOSAL (RFP) for Modular Building projects funded by DHCD and a separate REQUEST FOR PROPOSAL template for projects funded by other funding sources.

If you have any questions regarding the instructions, appropriate information for the RFP documents, the bidding statutes, or any other matters pertaining to the RFP process, consult with your DHCD Project Manager (PM) for direction.

- The following instructions, read in conjunction with review of the highlighted text in the documents themselves, will take you through each of the necessary documents, so that you can complete the Request for Proposals.
- Please read these instructions carefully, modifying only the identified paragraphs (those highlighted in yellow or discussed with your DHCD PM) to describe the requirements for your project. Should you wish to modify any other portions of the text, consult your DHCD PM for permission to do so by preparing a written draft along with the text to be modified and the purpose of the recommended modification.
- The form and content of much of the attached material is mandated by the Commonwealth's public bid laws, has been developed on the basis of many years of experience, and is quite familiar to DHCD PM's, Design Reviewers, and Construction managers, so your careful attention to these requirements can help prevent confusion, costly delays, or claims during the bidding or construction periods.
- If a section or form does not require modifications, reproduce the sections or forms directly from this package to expedite DHCD review. Review the formatting to make sure that the pages print correctly.
- The boilerplate RFP is contained in a series of files located on the DHCD website for downloading at:

<http://mass.gov/dhcd/components/DOH/BoHDC/1CMU/ModFrontEnd/default.HTM>

The first file contains this document INSTRUCTIONS TO AWARDING AUTHORITIES. The second file, FILES LIST, contains a Table of Contents for the web pages containing the files required to complete the RFP Package. Files that require modification are in WORD format. Other files are in PFD format.



Chapter 149 REQUEST FOR PROPOSAL (RFP) for Modular Buildings

The Request for Proposal consists of three main parts: the Project Manual, Technical Specifications, and Drawings as described below.

The consulting design firm is responsible for incorporating and modifying standard DHCD documents for each project as well as developing all other required information. The main sub-parts of the Project Manual are listed below. A complete list of the sub-parts is included on the web site.

Project Manual

- RFP TITLE SHEET ([File # 01](#))
- TABLE OF CONTENTS ([File # 02](#))
- ADVERTISEMENT ([File # 03](#))
- PART I. GENERAL INFORMATION ([File # 04](#))
- PART II. PROPOSAL SUBMISSION REQUIREMENTS ([File # 04](#))
- PART III. PURCHASE DESCRIPTION/SCOPE OF WORK ([File # 04](#))
- PART IV. EVALUATION CRITERIA ([File # 04](#))
- PART V. MISCELLANEOUS CONTRACT PROVISIONS & SUBMISSION FORMS ([File # 16](#))
- PART VI. TERMS AND CONDITIONS OF THE CONTRACT ([File # 16](#))

Specifications (The design firm will develop specifications sections as required in a modified CSI format.)

DIVISION I

- 01010 Modular Summary of Work ([File # 17](#))
- 01020 Modular Unit Prices ([File # 17a \(if used, also requires modified FORM A\)](#))
- 01030 Modular Alternatives ([File # 17b \(if used, also requires modified FORM A\)](#))
- 01040 Modular Existing Conditions ([File # 18](#))
- 01050 Modular Conduct of Work ([File # 19](#))
- 01100 Labor Regulations OSHA LANGUAGE ([File # 20](#))
- 01110 Modular EEO & MWBE ([File # 21](#))
- 01300 Modular Submittals ([File # 22](#))
- 01500 Modular Temp Facilities ([File # 23](#))
- 01510 Modular Protection ([File # 24](#))
- 01520 Modular Cleaning Up ([File # 25](#))
- 01700 Modular Project Close Out ([File # 26](#))
- 01720 Modular Surveys & Record Drawings ([File # 16](#))

DIVISION II

A Division Modular Building Modules ([File # 28](#)) is provided on the web site.

Drawings (The size of the drawings will be determined by the content. If larger than letter (8 1/2" x 11") or document (11" x 17") size pages, they may be in separate binding.)

The following instructions explain what to do with each form or document contained on the DHCD website.

PROJECT MANUAL

A. RFP TITLE PAGE ([File # 01](#))

1. A template for the RFP Title Page is provided on the website. **Modify** as required for this specific project.
2. The Drawings should also have a cover sheet containing the same information, as well as a map showing the project site.

B. TABLE OF CONTENTS ([File # 02](#))

1. **Modify** the template on the website as required for this specific project.

2. Include Technical Specification into the Table of Contents.

C. ADVERTISEMENT (File # 03)

1. A sample Form for Advertisement is provided on the DHCD website.

Note that highlighted items require modification or additional information.

Do Not make other changes or deletions to this document unless instructed by the DHCD Project Manager. Statutorily-required information is provided in this form; omitting information can result in a need to re-advertise the project resulting in a delay and cost to Offerors.

2. **Modify** the Advertisement template incorporating specific details for your project. Review Bidding Schedule with the Local Housing Authority (LHA) and DHCD Project Manager before submitting the Advertisement for publication.

Do not shorten this advertisement.

The template provided represents the minimum information required to meet the provisions of M.G.L. c.149 §44J. You must state that General Bidders must be DCAM certified in MODULAR CONSTRUCTION.

There are no filed sub-bids for modular projects bid through the RFP process.

3. Bid openings are best scheduled for 2 o'clock to allow the morning for bid preparation and delivery.
4. The DHCD Project Manager will coordinate the Central Register and MBE-WBE notification.
 - A. The Advertisement is the document where bidders look for MBE-WBE requirements. It is important that the Advertisement be coordinated with all sections of the Specifications relative to MBE-WBE requirements
 - B. **Typically the MBE-WBE requirement for modular projects is 10%.**

5. PUBLISHING

- A. This Advertisement must be published in a newspaper of general circulation in the locality of the proposed project once, two weeks before the first bid opening. Coordinate with the DHCD Project Manager and LHA to determine who will place the ad and in which publication(s).
- B. The Advertisement must also be posted in a conspicuous place in or near the Housing Authority office one week before the bid opening.
- C. A copy of the Advertisement should also be sent to SOMWBA at the same time that notification of this Bidding Opportunity is submitted to the Central Register.
- D. The bid laws also require that copies of the ad be sent to "other trade periodicals".

The LHA should send the Ad and, when appropriate, copies of the plans and specifications to the listed periodicals.

• BIDDING PERIODICALS

| Publication and Address | Notes |
|---|---|
| McGraw-Hill Construction 24 Hartwell Avenue Lexington, MA 02173 Phone (781) 860-6060 <i>Or for jobs west of Worcester</i> | Publishes Bidding Opportunities in Eastern Mass and Worcester County No Charge to Owners |
| McGraw-Hill Construction 101 Corporate Place Rocky Hill, CT 06067 Phone (860) 529-7250 Fax (800) 724-4410 | Publishes Bidding Opportunities in Western Mass. No Charge to Owners |
| Reed Construction Data Document Processing Center 30 Technology Parkway South, Suite 500 Norcross, GA 30092-2912 Phone: (203) 426-0450 Fax: (203) 426-4578 Fax addenda to 800 303-8629 www.reedplans.com | Publishes Bidding Opportunities Nation Wide No Charge to Owners |
| Project Dog 18 Graf Road Suite #8 Newburyport, MA 01950 Phone: (978) 499-9014 www.projectdog.com | Publishes Bidding Opportunities. No Charge to Owners |

PART I. GENERAL INFORMATION (File # 04)

1. A sample template for Part I is provided on the website. **Modify** the yellow highlighted text to fully describe the specific project. The yellow highlighted items that require modification or additional information include the project description, the project location, name of the housing authority. The information in this part must be coordinated with the Advertisement.

PART II. PROPOSAL SUBMISSION REQUIREMENTS (File # 04)

1. A sample template for Part II is provided on the website. **Modify** the yellow highlighted text to fully describe the specific project. The yellow highlighted items that require modification or additional information include the project description, the project location, the name and address of the housing authority, a list description of drawings/graphic representation provided in the RFP. The information in this part must be coordinated with the Advertisement.

2. Print out the Bidder's Check List (File # 5) to include with (but not bound into) the RFP Package:

3. Print out the forms listed below and include in the RFP Package to follow the Part II text and precede Part III text:

These are statutory forms. The substance of the forms cannot be altered.

- FORM A: PRICE PROPOSAL FORM OF BID (File # 06) Do not modify.
- 5% Bid Deposit in the form stated in 2.2 of this RFP (File # 06) Do not modify.

NOTE: If your project is to be bid with one or more Alternates use [File # 06a](#) instead of [File # 06](#). **Modify** the Price Proposal Form of Bid ([File # 6a](#)) to number and describe the alternates as indicated by yellow highlighted text. Provide a complete description of the Alternates in the specifications.

NOTE: If your project is to be bid with one or more Alternates and/or Unit Prices use [File # 06b](#) instead of [File # 06](#). Modify the Price Proposal Form of Bid ([File # 6b](#)) to number and describe the alternates and unit price items as indicated by yellow highlighted text. Provide a complete description of the Alternates and Unit Price Scopes of Work.

- FORM B: NON-PRICE PROPOSAL FORM ([File # 07](#))
- DCAM Certificate of Eligibility; and ([File # 07](#))
- Reminder to the Contractor of the additional information required with the Non-Price Proposal.

NO Modification is Necessary, except as noted above.

Do Not fill in the names, amounts, or bond requirements of any sub-bidder.
Include one copy of General Bid Form in the Project Manual and include 3 copies in Bid Packets, described in I A above.

4. If you are requesting Bidders to provide Unit Prices with the bids, attach a copy of the Schedule of Units Prices. Include this Schedule in the RFP. Copies of the schedule can be obtained from your DHCD Project Manager. This is discussed further under the Unit Prices section of Division 1.

PART III. PURCHASE DESCRIPTION/SCOPE OF WORK ([File # 04](#))

1. A sample template for Part III is provided on the website. **Modify** the yellow highlighted text to fully describe the specific project. The yellow highlighted items that require modification or additional information include the illustrations that are required from the Offorer prior to signing the Owner-Contractor Agreement.

PART IV. EVALUATION CRITERIA ([File # 04](#))

1. A sample template for Part IV is provided on the website. This portion of the document is unlikely to require modification and does not include yellow highlighted text.

Part V. MISCELLANEOUS CONTRACT PROVISIONS AND CONTRACT FORMS ([File # 04](#))

1. A sample template for Part V is provided on the website. This portion of the document is unlikely to require modification and does not include yellow highlighted text.
2. Include the following forms in the Project Manual without modification:
 - FORM C: Owner/Contractor Agreement ([File # 08](#)) Do not modify.
 - FORM D: Certificate of Vote of Authorization ([File # 09](#)) Do not modify.

- FORM E: Performance Bond (File # 10) Do not modify.
- FORM F: Payment Bond (File # 11) Do not modify.
- FORM G: Statement of Internal Controls (By Contractor) (File # 12) Do not modify.
- FORM H: Statement of Internal Controls (By CPA) (File # 13) Do not modify.

3. Note regarding MBE/WBE FORMS

Verify that MBE/WBE requirements will be needed for this project. The requirements for all contracts are specified in the Advertisement. This is the only place the exact requirement is defined.

4. The apparent low general bidder is required to submit the next two forms within 5 working days of the RFP opening. Reproduce and include these forms in the RFP Manual if required.

See PART I General Information, Section 1.13 or of PART VI Terms and conditions of the Contract, Article 15, for more information.

- FORM I: M/WBE Participation Schedule (File # 14) Do not modify.
- FORM J: M/WBE Letter of Intent (File # 15) Do not modify.

5. At the time of Contract Award approval, the DHCD Project Manager will provide copies of these forms to the General Contractor with instructions on how to fill them out. Copies should be included in the project manual so the bidders will know what is required. Bidders should consider these requirements when preparing their bids.

PART VI – TERMS AND CONDITIONS OF THE CONTRACT (File # 16) Do not modify.

1.. DHCD has prepared General Conditions that incorporate all of the provisions required by the Massachusetts bid laws as well as other provisions that are typically included in other publications such as those prepared by the AIA. This is the ONLY acceptable document for use on DHCD funded construction contracts.

DO NOT, IN ANY WAY, ALTER THE TERMS AND CONDITIONS OF THE CONTRACT.

However, do make sure the pagination is correct in the final document. The WORD document from the web site may open differently on your computer.

2. If necessary, create Supplementary Conditions to make modifications. Review any proposed modifications during the design reviews.

A. These are used to supplement or modify the General Conditions. They should be inserted just after the General Condition. A change in paper color (versus the General Conditions) will make them more noticeable.

B. Modifications to the General Conditions require DHCD Project Managers approval.

C. If this project includes LEAD PAINT, ASBESTOS, or TANK REMOVAL, ask the DHCD Project Manager for a copy of the supplementary conditions for the additional insurance requirements and insert it just after the General Conditions.

D. The AIA General Conditions are not acceptable for DHCD funded projects.

SPECIFICATIONS DIVISION I

1. DHCD prepared a Division One of the Specifications for all projects between \$100,000.00 and \$10,000,000. This portion of the Front End of the Specifications will require considerable review and modification. Some sections contain provisions that differ if the job is modernization or new development. The specific sections are included below.

2. The general rules for preparing the Division One are:

Include every section unless the instructions specifically indicate that it need not be included or if you are instructed by the DHCD Project Manager to delete the section.

3. Items requiring investigation or modification are shaded in the electronic file for each document.

01010 MODULAR SUMMARY OF WORK (File # 17)

1. Include each paragraph unless specifically not applicable.

2. **Modify** and expand this section to explain any circumstances unique to the Project, especially Work under separate Contracts. Be sure the LHA knows its obligations for Work under Separate Contracts.

3. Review Time of Completion with DHCD Project Manager.

DO NOT LEAVE TIME OF COMPLETION BLANK!!!

USE CALENDAR DAYS

01020 UNIT PRICES (File # 17a)

Unit Prices can be used in one of three ways, discuss with the DHCD Design Review Architect before including Unit Prices in any Contract Documents.

1. Predetermined by the Designer: This method is most commonly used for new development projects and some modernization contracts. Follow these basic guidelines:

A. Use Unit Price items that are necessary for the project and consistent with the:

1. Work Required
2. Specifications
3. Location of Project
4. Time of year that work will be complete

B. Unit Prices should be established for the job by the cost estimator. DHCD will not provide the Unit Prices.

C. Earthwork Unit Prices should be computed/measured on a “compacted in place at maximum dry density” basis.

D. Review the Unit Prices with the DHCD Project Manager.

E. Include the Schedule of Unit Prices in the Project Manual as part of Section 01020.

F. If the actual soil conditions are questionable, prepare specifications that instruct the Offerors to include a specific quantity of the appropriate work item in their base bid. This will minimize the effect of change orders later.

2. Contractor Provided - at Time of Lump Sum Bid - This process is used on modernization contracts only when there may be latent conditions that cannot be accurately quantified. Follow these guidelines in these cases:

A. Obtain a Schedule of Unit Price Form from the DHCD Project Manager.

B. Provide the quantities that the Bidders should include in their base bids and an estimate of how much they might expect in a change order situation.

C. Include the Schedule of Unit Prices in the Project Manual in the Price Proposal Form of Bid (File # 6b).

D. Include the Schedule of Unit Prices in the RFP Packets that are handed out to Offerors picking up Contract Documents.

A WORD OF CAUTION !!!

- If you know there is a high potential for latent conditions, using this technique may encourage bidders to estimate their Base Bids low and give you very high Unit Prices - hoping to make their profit on big Change Orders

3. Contractor Provided as part of a Unit Price Bid - This process is used on site work contracts when the work items are well quantified. (For example - paving work.) Follow these guidelines if you have a Contract that may be bid using this process:

A. Prepare a Price Proposal Form of Bid (File # 6b) for your project to include the quantities and scope of work described in this section.

D. The Unit Prices given will be the basis for computing the Base Price and any change order work.

01030 ALTERNATES (File # 17b)

1. Alternates may be requested in appropriate situations, the DHCD will decide when it is appropriate.

2. DHCD may request Alternates to provide a means to determine the cost of work funded by other sources.

3. The scope of each Alternate must be carefully described to assure competitive bidding.

4. Reference each specification section affected.

Check carefully to be sure that all affected sections have been properly cross referenced.

5. Alternates must be accepted in the order listed. Select order carefully, and check wording of each Alternate to avoid having to accept undesirable Alternates to get to necessary Alternates.
6. Alternates not accepted at Award cannot be added later by Change Order, this is illegal. Trying to do this can be construed as attempting to manipulate the outcome of the bid.
7. Delete this section entirely if no Alternates are used (also correct the Bid Forms).
8. Modify FORM A: Price Proposal Form of Bid (File # 6a or 6b if also with Unit Prices) for projects with alternates. Bidders are not required to provide information if space is not provided for that information.
9. Avoid mixing unit price work with lump sum alternates, it causes confusion during bidding and construction

01040 EXISTING CONDITIONS (File # 18)

IT IS THE DESIGNERS JOB TO DESIGN THE PROJECT
DO NOT ASSUME THAT BECAUSE SOIL EXPLORATION OR EXISTING BUILDING
EXPLORATION DATA IS MADE
AVAILABLE AS PART OF THE PLANS THAT BIDDERS WILL INCLUDE WORK IN THEIR
BID THAT EXCEEDS YOUR
DESIGN REQUIREMENTS. BIDDERS WILL BID PRECISELY UPON THE DESIGN
THIS PROVIDES THE CONCEPT OF EQUAL FOOTING

1. Be sure to indicate ground water level in this section.
2. If borings/test pits are taken during dry periods, this should be noted and a higher groundwater level should be stated in this section.
3. This section can be modified if all boring/test pit information or existing building information is on the drawings.
4. DO NOT rely on catch-all phrases to inform Contractors that they are responsible for unknown existing conditions.
5. Indicate the reliability of the information presented in this section. MGL c30 § 39N afford Contractors considerable protection against less than clear and thorough Contract Documents

01050 CONDUCT OF THE WORK (File # 19)

1. This section is most often used in projects within existing developments. Unless there is a specific item that needs attention this section need not be included in Development Contracts.

01100 LABOR REGULATIONS (File # 20)

1. Request wage rates (in writing) before bidding.
Obtain the appropriate form from the DHCD Project Manager and send it to:
Department of Labor and Workforce Development
399 Washington St, 5th Floor
Boston, MA 02108
Attention: DIVISION OF STATISTICS

2. The rates must be issued not more than 90 days prior to the first bid opening.

3. Include Wage Rates in the RFP package per M.G.L. c.149 §26-27H

01110 EEO and MBEIWBE PROCESS REQUIREMENTS (File # 21)

1. Reproduce as provided (without modification) for projects estimated to cost over \$100,000, unless the DHCD Project Manager has received a waiver from the DHCD MBE Coordinator - WAIVERS MUST BE RECEIVED BEFORE ADVERTISING.

2. It is important that you coordinate all sections of the Specifications, relative to MBEIWBE requirements, with the Advertisement. The Advertisement is the document where bidders look for this requirement. It is also the only document which makes the MBEJV'IBE contract requirements enforceable. If MBEIWBE Participation is required for a project and it is not in the Advertisement, the requirement cannot be imposed after bidding

01300 SUBMITTALS, SHOP DRAWINGS, PRODUCT DATA, AND SAMPLES (File # 22)

1. Reproduce as provided, without modification.

2. Coordinate this section with technical specifications, pay particular attention to consultants who may have language in technical section(s) that may contradict requirements of this section

01500 TEMPORARY FACILITIES (File # 23)

1. Review this section with DHCD Project Manager to determine what items will be included/deleted.

2. Be sure of coordination with local utility companies so that bidders will be able to obtain appropriate information for temporary electricity and other utilities.

3. In general, project signs and project offices are not required for Modular projects.

01510 PROTECTION (File # 24)

1. Prepare this section to clearly explain if the Contractor is to protect existing buildings, the site, etc.

01520 CLEANING UP (File # 25)

1. Review and add/delete any appropriate paragraph.

01700 PROJECT CLOSE OUT (File # 26) Do not modify.

1. Reproduce this section as provided.

01720 SURVEYS, RECORD DRAWINGS (File # 27)

If surveys are not required delete this paragraph.

1. Foundation Survey

Use this section if this is a new project with new foundations some towns will only issue a foundation permit and will require this survey before they issue the final building permit

2. Septic System Survey.

Use or revise this section as appropriate. If the project has a septic system determine if the Local Board of Health requires a registered survey before the new system can be backfilled and if it does incorporate that requirement into the Contract Documents Determine this requirement before bidding

2. Record Drawings

Modify this section to provide the LHA with adequate records for future maintenance and Modernization projects. Generally the contract should require a set of wash off mylar originals and for the Contractor to transfer As Built information to these mylars.

OTHER

1. If other Division I sections, unique to this project, are necessary, review with DHCD Project Manager.
2. Use similar format, when applicable, for example:
 - Measurement and Payment of Unit Price work
 - Comprehensive Permit Conditions;
 - Conservation Commission Order of Conditions; and
 - Similar documents.

SPECIFICATIONS DIVISION II – TECHNICAL REQUIREMENTS

The Design Consultant is responsible for the preparation of the technical specification sections required to fully describe the work required for the project. Section 13000 is specific for the modular building modules, but may include items such as screen porches, entries, storage buildings. It is the general contractor (DCAM certified Modular Contractor) who determines the allocation of the tasks to complete the project and if the work is done on-site or off-site.

Section 02700 - SITE UTILITIES

Section 02800 - SITE IMPROVEMENTS

Section 03300 - CAST-IN-PLACE CONCRETE

Section 13000 - MODULAR BUILDING MODULES ([File # 28](#)) **Modify**

DHCD has prepared a basic Section 13000 for modular 689 projects. The format allows the Offorer to fully describe the products provided in the bid and allows the evaluators the opportunity to distinguish the quality of the bids as they relate to the project requirements.

Many of the products included in this section have been identified through a series of meetings with DMR and are consistent with the “Design Guidelines for Special Needs Housing.” Materials in the basic specification may be changed by the project team during the design phases to other materials consistent with the design guidelines.

DRAWINGS

The list of graphic materials below should be prepared for the RFP material provided to the Offorers. Suggested scale of drawings is included. Discuss the drawings to prove and the layout of the final documents with the DHCD reviewers prior to preparing the draft RFP. The intent of the plans and elevations is to show the intent of the design. The final design will be provided by the Modular Contractor with the review of the project team, including the architect, engineers, the Housing Authority, and DHCD.

| Description of Graphic Representation Provided in the RFP Package | Scale |
|--|--------------|
| Cover Sheet ~ Responsible Parties, Location, Code Info, MAAB requirements and diagrams | No scale |
| Survey/Existing Conditions | 1” = 20’ |

| Description of Graphic Representation Provided in the RFP Package | Scale |
|--|--------------|
| Site Construction or Layout Plan | 1" = 20' |
| Civil Engineering Details | No scale |
| Site Utilities Plan | 1" = 20' |
| Site Planting Plan, Landscape Plan | 1" = 20' |
| Basement and Foundation Plan | 1/4" = 1'0" |
| Section – Foundation/First Floor | 3/4" = 1'0" |
| Section – Basement Column | 3/4" = 1'0" |
| Footings Schedule or Section | No scale |
| Basement & Crawl Space Plan | 1/8" = 1'0" |
| Floor Plans | 1/8" = 1'0" |
| Window Schedule | No scale |
| Room Finish Schedule | No scale |
| Door Schedule | No scale |
| Roof Plan | 1/8" = 1'0" |
| North Elevation | 1/8" = 1'0" |
| South Elevation | 1/8" = 1'0" |
| East Elevation | 1/8" = 1'0" |
| West Elevation | 1/8" = 1'0" |
| Interior Elevations – Bathrooms, Kitchen | 1/8" = 1'0" |
| Details – Foundation to entry stair | 3/4" = 1'0" |
| Wall Section Eave – Basement | 3" = 1'0" |
| Wall Section Rake to Basement | 3" = 1'0" |
| Exterior Stair (or ramp) detail | 1" = 1'0" |
| Details of Key conditions | 3" = 1'0" |
| Electrical Site Plan | 1" = 20' |
| Lighting Fixture Schedule | No scale |